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How to Celebrate John Marshall
Day, February 4, 1901

ILLINOIS HISTORICAL SURVEY



How to Celebrate
“John Marshall Day,”
February 4, 1901.

“The government of the Union is emphatically and truly a government of the people. In form and in substance it emanates from them. Its powers are granted by them, and are to be exercised directly on them, and for their benefit.”

McCulloch v. Maryland, 4 Wheat. 404.

HOW TO CELEBRATE
“JOHN MARSHALL DAY”

FEBRUARY 4, 1901.



Published by Direction of the Executive Committee
of the Illinois State Bar Association.

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HOW TO CELEBRATE

Ill. Historical
Survey

"JOHN MARSHALL DAY."

"A frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty."

NUMEROUS inquiries have reached the writer of this pamphlet as to the object of "John Marshall Day," although that object was plainly expressed in the original proposition submitted to the Illinois State Bar Association at its last annual session. That proposition had but one object—the commemoration of the centennial anniversary of the day when John Marshall of Virginia took his seat as Chief Justice of the United States at Washington, on February 4th, 1801. The idea was and is to commemorate this single day as a purely educational force for the present generation, and some of the good results expected have already been partially attained.

George Ticknor Curtis, in his work on the Constitutional History of the United States, closes his preface by saying: "Perhaps some future Gibbon, centuries hence, will write the 'Decline and Fall of the American Republic.' Let us hope, however, that in the meantime something will be done for the welfare of mankind; that some still greater improvements will have been made in the science of government and that if the decadence of our institutions must be recorded, the way will have been prepared for better ones to take their place."

The John Marshall movement is aimed to be one of the instrumentalities of the present generation of lawyers

to preserve the blessing of civil government in the United States. So far as the legal profession may be a factor in this matter, every effort should be made to make the occasion the means of treasuring the wisdom of Marshall's genius. In this way the science of government which he helped to establish will be made permanent. The American and English press have to a large extent discussed the important part which Chief Justice Marshall assumed and carried out in the upbuilding of the American Constitution, by an interpretation and construction which gave strength and harmony to the Great Charter of American liberty. Since this movement started, the bench and bar of the United States have vied with each other in refreshing their recollections of Marshall, and it is safe to say that more is now known of the invaluable work of the great American jurist than before.

During the next twelve months this information, so educational and far-reaching in its influence, will have a much greater audience. The entire nation will have the opportunity to start the century with a new reading and estimation of the national heritage, more lasting than brass or stone.

HOW TO CELEBRATE THE DAY.

Many inquiries from earnest and zealous men have reached me as to how to celebrate John Marshall Day. The American Bar Association, through the Hon. W. W. Howe, has stated the object in a circular address which has been heralded through the land by the courtesy of the Associated Press. That address stated in part as follows: "The American Bar Association leaves the execution of this national celebration in the hands of the courts and the public bodies named, and it expresses

the sincere hope that the celebration be national in its character and imposing in its extent and fervor, and that it may have the hearty support of the secular and legal press of the country." The public bodies named are the various bar associations throughout the United States.

The National Committee of Forty-nine (one for each State and Territory) has the matter in charge, and plans are being perfected to carry on the work in the several localities. The object of this paper is merely suggestive in this direction and in compliance with the request of the Executive Committee of the Illinois State Bar Association, the following tentative suggestions for the proposed celebration are respectfully submitted to the public:

**PUBLIC ASSEMBLY, WITH ORATION DURING THE
DAY, AND BANQUET IN THE EVENING.**

This programme will be generally followed as the most appropriate one for the proposed celebration. There may be incidental exercises, with a musical programme, and these exercises may take place in a public hall or in the court houses, according to the necessities of the particular locality. Some of the Supreme Courts have arranged for a meeting of the bench and bar at the State capitals, some in conjunction with State, city, and county bar associations. Where the courts are not in session an observance by the joint action of bench and bar, supreme or local, may be had as a volunteer offer to the importance of the day.

The great orations which were delivered in the year of the Chief Justice's death, in 1835, that of Judge Story before the Boston bar, and that of Horace Binney,* the

*Republished in pamphlet form, with portrait by Messrs Callaghan & Co., in honor of "John Marshall Day."

great Philadelphia lawyer of national fame, at Philadelphia, present authentic information to the orators chosen for the day. Since then the orations of Joseph Hopkins, delivered March 3rd, 1837, before the American Philosophical Society, reported in 1 Brockenbrough; that of Henry Hitchcock, of Missouri (1888) (see Appendix); of Edward J. Phelps (1879) before the American Bar Association; of Chief Justice Waite and William W. Rawle (1884) at the unveiling of the Marshall monument at Washington (112 U. S. 744-61); of General John C. Black before the Illinois State Bar Association (1897); of Hon. John B. Cassoday, Chief Justice of the Supreme Court of Wisconsin, entitled, "John Marshall and John Scott" (see Appendix), and the oration of Hon. Isaac N. Phillips, of Bloomington, Ill. (32 Chi. Legal News, 352; 20 Nat. Corp. Rep. 640), have been delivered to grateful and appreciative audiences. These orations will be welcome to many orators and may be profitably read to audiences in places where no orator can be procured.*

**COMPLETE BIOGRAPHICAL NOTE ON
JOHN MARSHALL.**

In addition to the information above mentioned, the writer of this paper has caused a bibliography on the subject of John Marshall to be compiled, with the kind assistance of librarians of the Chicago Public Library and the Library of Congress at Washington, which will give ready information to all persons, orators and students in regard to the life work of the Great Chief Justice. This bibliography is printed in the appendix.

*Just as this pamphlet goes to press, Messrs. T. H. Flood & Co., Publishers, Chicago, inform the writer that in honor of "John Marshall Day," they are about to republish, in pamphlet form, the proceedings at the unveiling of the Marshall monument at Washington, including the orations of Chief Justice Waite and W. W. Rawle (1884.)

CELEBRATION AT THE NATIONAL CAPITAL.

High importance is naturally to be attached to the proposed celebration at the city of Washington, where it is hoped that the Supreme Court will have a joint session with Congress (Senate and House), the occasion to be graced by the President of the United States and his cabinet. Hon. Wayne MacVeagh, of Philadelphia, an orator of national fame, has already been entrusted with the task of presenting the great theme of John Marshall. The local bar association of the District of Columbia has this matter in charge.

But this celebration at the capital is not meant to lessen the best efforts of the various State bar associations to have centennial exercises in their various State localities. It is intended to be the lawyers' day in every part of the Union, in order to realize the full extent of the original proposition.

**COMMEMORATION EXERCISES BY COLLEGES,
UNIVERSITIES, LAW SCHOOLS, ETC.**

One of the original suggestions, which has already been adopted by Yale College, was to interest educational institutions in the proposed celebration, and sufficient encouragement has already been evinced by various college presidents, in communications to the writer, to warrant the statement that general interest will be shown in this matter. It is more than fitting that these educational institutions dwell with emphasis on the exalted character of John Marshall as America's great expounder of the Constitution.

MEMORIAL EXERCISES IN PUBLIC SCHOOLS
AND ACADEMIES.

This suggestion has been heartily endorsed and encouraged by various school authorities in Wisconsin, Missouri and Michigan who have taken the matter into consideration. This matter can be furthered by application to the State School Superintendents and county and city superintendents to aid the bench and bar in this matter. The schools should be addressed by members of the bar designated for that purpose by the local committees and the many points in the military career of Marshall, fully stated in the address of Horace Binney of Philadelphia, republished through the courtesy of Callaghan & Co. of Chicago, will be of especial interest to the young students.

CLOSING OF THE COURTS AS A TESTIMONIAL
TO THE DAY.

One of the means suggested to give emphasis to the celebration is the closing of the courts to secular business and this necessarily includes the closing of all law offices, which fact will free the American lawyer from professional care for one day, which itself will be deemed a valuable acquisition. If the day is spent in the contemplation of the great period of State-builders and in the work of Marshall's contemporaries, the educational influence of the celebration will be immeasurable in its effect on the present generation of men in whose hands as a profession all the essential interests of government have been confided by the American people.

It is suggested that on Saturday (or some other day) preceding Monday, February 4th, 1901, some designated

member of the bar will appear in each American court house and move the court in writing that Monday, February 4th, 1901, be observed by the American bench and bar as "John Marshall Day," and this motion may be accompanied with appropriate remarks, to be responded to by the court, the whole being spread of record as a lasting memorial of the centennial day. The designation of members of the bar for this purpose should be made by the various local committees having the celebration in charge.

**ORATORS ON "JOHN MARSHALL DAY."
CENTENNIAL VOLUME.**

It is the special desire of the National Committee that orators should be chosen from different localities, in order to give the celebration a national character. It is also suggested that invitations be forwarded at once, in order that the orators may have ample time to prepare for the centennial work. It is most likely that a centennial volume will be authorized by the American Bar Association, in which the great celebration will be detailed and at least some of the orations will be republished in that form.

CONCLUSION.

In asking for the recognition of "John Marshall Day," we appeal to the patriotism and the intelligence of the great profession, which, since the era of civilization, has been charged with the duty of guarding the liberties and the rights of property of the people, and which, among its ennobling ideals, treasures the memory of the Great Chief Justice, who so successfully labored in his high office to preserve the rights of the nation, as well as of the States in blended harmony, and who taught us to appreciate

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what was aptly expressed by one of his successors as "an indestructible Union of indestructible States."

"Marshall's fame," said Judge Story, "will flow on to the most distant ages. Even if the Constitution of this country should perish, his glorious judgments will still remain to instruct mankind until liberty shall cease to be a blessing and the science of jurisprudence shall vanish from the catalogue of human pursuits."

Respectfully submitted,

ADOLPH MOSES.

Chicago, July, 1900.

APPENDIX.

BIBLIOGRAPHY.

No attempt has been made to include Biographical Dictionaries, Encyclopedias or Works of Reference. John Marshall is referred to in all biographies of his contemporaries, to which the student and general reader are referred. If important omissions have been made, the compiler begs to be informed thereof.

JOHN MARSHALL (Author).

MARSHALL, JOHN. (1755-1835.)

Expediency of Direct Taxation; speech, June 10th, 1788. (Library of Amer. Lit. 1888. v. 4, p. 58-59.)

The Federal Constitution; speech in the Robbins case (preceded by a biographical notice). (Moore, F. Amer. Eloquence. 1876. v. 2, p. 7-32.)

A History of the Colonies Planted by the English on the Continent of North America. Philadelphia, 1824. pp. 486. Originally pub. as *Introd. to the Life of Washington*. Reviewed, with sketch of public life and services of Marshall, by Joseph Story, in *N. A. Rev.*, 26, 1-40.

Letters. (Story, J., *Life and Letters*. 1851. v. 1, p. 505; v. 2, p. 135, 150 and 172.)

Letters of John Marshall When Envoy to France. (*Amer. Histor. Rev.* v. 2, p. 294-306.)

Letters and Correspondence on French Treaty, 1797. *Am. State Papers*, 1797-1801, pp. 219-260.

Life of George Washington. Philadelphia, 1804-07. 5v., portrait. 8o—2nd ed., rev. and cor. Philadelphia, 1832. 2v. and vol. of maps; portrait. 8o. Revised. *Het leven van George Washington* (Dutch). 1833. Haarlem, 1805-09. 10v. 8o. *Vie de George Washington* (French). Paris, 1807. v. 8o. 1v. Plates. *George Washington's Lebensbeschreibung* (German). Hamburg, 1805. 2v. 8o.

Opinion of Chief Justice Marshall in the Case of Garnett, Executor of Brooke vs. Macon, et al., reported by Joseph Tate. Richmond, Va., 1827. 8o.

Opinion of the Supreme Court of the U. S., by Mr. Chief Justice Marshall, in the case of *S. A. Worcester vs. The State of Georgia*. Washington, 1832. pp. 20. 8o. Another ed. of the same pub. in the same year, pp. 39.

Reports of cases decided by the Hon. J. Marshall, in the Circuit Court of the U. S. for the District of Virginia and N. Carolina from 1802 to 1833, inclusive, ed. by John W. Brockenbrough (with a memoir by J. Hopkinson). Philadelphia, 1837. 2v. 8o. (*I. McLean Repts.*, 555.)

Opinions in U. S. Reports, 1801-1835.

Opinion in Aaron Burr Trial, 4 Cranch. U. S. Rep. 472.

- Opinions of the late Chief Justice of the United States, concerning freemasonry. (Boston ?, 1840). 4 pp. 8o.
- Speech delivered in the House of Representatives on the resolutions of E. Livingston, relative to T. Nash, alias J. Robbins. Philadelphia, 1800. 12o. (See also appendix to 5 Wheaton Rep., pp. 3-32.)
- Speeches in the Constitutional Convention, 1789. 3 Elliot's Debates, 222, 419, 551.
- Writings of John Marshall, late Chief Justice, upon the Federal Constitution. Boston, 1839. pp. 730. 8o. Republished. Washington, 1890. pp. 725.
- Authentic copies of the correspondence of C. C. Pinckney, John Marshall and E. Gerry, envoys extraordinary to the Republic of France, as presented to Congress, Apr. 3, 1798, London, 1798. pp. 78. 8o.

JOHN MARSHALL (Subject).

- ALLIBONE.—Dictionary of Authors (article), John Marshall.
- BARNES, WILLIAM H.—The Supreme Court of the U. S. 1877. p. 35. Portrait.
- BARRE, W. L.—John Marshall. In "Lives of Illustrious Men of America." Cincinnati, 1859., pp. 426-452.
- BATEMAN, H.—Biographies of 250 distinguished national men.
- BENTON, THOMAS H.—Death of Chief Justice Marshall. (In *Thirty Years' View*. 1854. v. 1, p. 681.)
- BINNEY, HORACE.—An eulogy on the life and character of John Marshall, Chief Justice. Philadelphia, 1835. pp. 70. 8o. Reviewed in *New York Rev.*, v. 4, p. 328. Republished in honor of John Marshall Day, by Callaghan & Company. Chicago, 1900. pp. 52.
- BLACK, JOHN C.—Oration Before the Illinois State Bar Association. 1897.
- BRADLEY, JOSEPH P.—Saint Memin's portrait of Marshall. (*Century Mag.*, v. 16, p. 778-781.)
In a note: list of all known portraits of Marshall.
- BROCKENBROUGH, JOHN W.—Reports of Cases decided by the Hon. J. Marshall, see, ante: John Marshall (author).
- CARSON, HAMPTON B.—The Supreme Court of the U. S. Centennial. Volume (Art. John Marshall). Phil. 1891.
- CARSON, H. B.—Biographical sketch of John Marshall. The Supreme Court of the United States, pp. 195-227. Philadelphia, 1891. Second edition, Philadelphia, 1892.
- CASSODAY, JOHN B.—Chief Justice Supreme Court, Wis.—John Marshall and Lord Eldon Compared. 1900.
- COOKE, JOHN E.—Early days of John Marshall. (*Historical Mag.*, v. 3, p. 165-169.)
- CRAIGHILL, R. T.—The Virginia "Peerage;" v. 1, pp. 229, 284.. Richmond, 1880.
- CURTIS, WILLIAM E.—The seven chief justices of the U. S. (*Chautauquan.*, v. 25, p. 339-347.)
- FLANDERS, HENRY.—John Marshall. (*Lives of the Chief Justices*. 1875. v. 2, p. 277-550.)

- GRISWOLD, RUFUS W.—John Marshall. (Sketch, with extracts from the Life of Washington). (Prose writers of America.) (1870.) p. 85-89.
- GRISWOLD, RUFUS W.—Marshall. (Homes of Amer. Statesmen. 1857. p. 263-274.)
- GOODE, JOHN.—Annual Address Va. State Bar Ass'n. (1899.)
- HARDY, (MRS.) SALLIE E. M.—Chief Justice Marshall. (Green Bag, v. 3, p. 541-542.) Portrait.
- HARDY, (MRS.) SALLIE E. M.—John Marshall (with 3 portraits). (Green Bag, v. 8, p. 479-492.)
- HARDY, (MRS.) SALLIE E. M.—John Marshall. (Green Bag, v. 10, p. 22.)
- HARDY, (MRS.) SALLIE E. M.—The will of a great lawyer. (Green Bag, v. 8, p. 4-6.)
- HARLAND, MARION.—Old Colonial Homesteads, (Art.) John Marshall, 84.
- HITCHCOCK, HENRY.—Constitutional development in the U. S. as influenced by Chief-Justice Marshall. (Cooley, T. M. and others. Const. History of the U. S. 1889. p. 53-121.)
- HOPKINSON, JOHN.—Memoir of John Marshall. (Brockenbrough, J. W. Reports of cases decided by John Marshall. (1837.)
- HOUGHTON, WALTER R.—John Marshall. (Kings of fortune. 1888. p. 437-456.)
- KENNEDY, WILLIAM.—Life of Wirt. Vol. 1, pp. 161-206.
- MAGRUDER, JOHN B.—John Marshall. Boston, 1885. pp. 290. 120. Reviewed by Melville Fuller in the Dial, v. 6, p. 10, and reprinted in same, v. 9, p. 128.
- PAULDING, W. I.—A contribution to history. (Marshall's candidacy for Congress, incl. a letter from him to J. K. Paulding.) (Lippincott's Mag., v. 3, p. 623-626.)
- PHELPS, EDWARD J.—Chief Justice Marshall and the constitutional law of his time; address. Philadelphia, 1879. 80. 2 Am. Bar Ass'n Repts, 174.
- PHILLIPS, ISAAC N.—Oration Before the Chicago-Kent College of Law. 1900. 32 Chi. Legal News, 352; 20 Nat. Corp. Rep., 640.
- POTTER, CLARKSON N.—Marshall and Taney. (Amer. Bar Ass'n Rep. 1881, p. 175.)
- RAWLE, WILLIAM H.—Unveiling of the statue of Chief Justice Marshall at Washington, May 10th, 1884; Oration. Philadelphia, 1884. pp. 31. 40. (112 U. S. Repts. Appendix, 744-761.) Gov't Print, 1884, 92 pp.
- SCOTT, H. W.—Distinguished American lawyers. pp. 537-544. New York, 1891.
- STORY, JOSEPH.—A discourse pronounced on the 15th Oct., 1835, on the life, character and services of Chief Justice John Marshall. Boston, 1835. 80.
- STORY, JOSEPH.—(Same.) (Story, J. Misc. writings. 1852. p. 639-697.) Review by G. S. Hillard in N. A. Rev., 43, 217; also N. Y. Rev., 4, 328.
- STORY, JOSEPH.—John Marshall. (Story, J. Life and Letters, by his son. 1851. v. 1, p. 166, 521; v. 2, p. 203, and passim throughout the two vol.)

- SHIRLEY, JOHN.—The Dartmouth College Case.
- VAN SANTVOORD, GEORGE.—John Marshall. (Sketches of the lives of the Chief Justices. 1882. p. 337-522.)
- WAITE, MORRISON R.—Chief Justice.—Unveiling of the Statue of Chief Justice Marshall at Washington, May 10th, 1884; Oration, Philadelphia, 1884. pp. 31. 40. (112 U. S. Repts. Appendix, 744-761.) Gov't Print, 1884, 92 pp. To be reprinted by T. H. Flood & Co., Chicago, 1900.
- JOHN MARSHALL.—(Amer. Law Rev., v. 1, p. 432-441.)
- JOHN MARSHALL.—(Duyckinck, E. A. National Portrait Gal. 1864. v. 1, p. 355-363.) Portrait.
- JOHN MARSHALL.—(Duyckinck, E. A. & G. L. Cycl. of Amer. Lit. 1855. v. 1, p. 404-407.) Portrait.
- JOHN MARSHALL.—(Longacre & Herring. National Portrait Gal. 1834. v. 1.) Portrait.
- Obituary Proceedings 1 McLean Repts. 555. id. 30 Fed. Cas. 1323.
- Obituary Proceedings in U. S. Supreme Court, 10 Peters Repts. VII.
- Biographical Notice, 30 Fed. Cas. 1335.
- Henry Hitchcock, Const. History of U. S. (1889) 56-117.
- Chief Justice Wait's Address, 112 U. S. 744-48.
- Senate Rep. 544. 1 Sess. 48 Congress.
- Marshall's Opinions, James Monroe & Co., Boston.
- 3 Jefferson's Corresp. 434.
- Von Holst's Const. History U. S. Vol. 1.
- The British Spy, 178-181, by William Wirt.
- Robbins' Case, Wharton's State trials, 443.
- Proposition for the Celebration of "John Marshall Day," Submitted to the Illinois State Bar Association by Adolph Moses, Chicago. Vol. 18, Nat. Corp. Rep., 669; (See also pamphlet issue of same.)
- Correspondence on the Subject Endorsing the Celebration. (19 Nat. Corp. Rep. 7, 716, 761, 836, 876 and 908.)
- "John Marshall Day" Information, Running Numbers of the Nat. Corp. Rep. Commencing 18 Nat. Corp. Rep. 713 et seq.
- Justice Chase's Impeachment Trial, by J. Harry Chesley, Claymont, Del. (19 Nat. Corp. Rep. 626.)
- Story's Tribute to Chief Justice Marshall Before His Death. (19 Nat. Corp. Rep. 471.)
- Speech of John Marshall on the Death of Washington. (19 Nat. Corp. Rep. 544.)
- Judge Peter S. Grosscup on John Marshall. (19 Nat. Corp. Rep. 593.)
- Chief Justice Marshall at the Burr Trial (by Adolph Moses, 19 Nat. Corp. Rep. 865.)
- Address of American Bar Association on "John Marshall Day." (19 Nat. Corp. Rep. 829.)
- Incorporation of John Marshall Memorial Association, Virginia. (20 Nat. Corp. Rep. 45.)
- "John Marshall Day" in the State of Oregon, by Charles H. Carey of Portland. (20 Nat. Corp. Rep. 46.)
- George Wythe, Law Teacher of Chief Justice Marshall. (20 Nat. Corp. Rep. 80.)

Marshall's Military Honors in War and in Peace, by J. Harry Chesley, of Claymont, Del. (20 Nat. Corp. Rep. 116.)

The Ancestry of Chief Justice Marshall, by J. Harry Chesley. Claymont, Del. (20 Nat. Corp. Rep. 550.)

Address on John Marshall, by Isaac N. Phillips, Bloomington, Ill., 1900. (20 Nat. Corp. Rep. 640.) (See pamphlet edition by author.)

Articles on "John Marshall" in vol. 2, Jones' Index to Legal Periodicals.

"John Marshall, LL. D., Chief Justice of the United States," 1 Current Comment, 213, 253.

"The Will of a Great Lawyer"—How Chief Justice Marshall devised his estate"—8 Green Bag 4.

"John Marshall"—1 Chicago Law Times 109.

"Chief Justice Marshall"—22 American Law Review 706.

Same article—86 Law Times 175.

"John Marshall," 20 Ill. State Bar Asso. Reports, 1896, Part 2, 25.

Same article—54 Albany Law Journal 55.

Same article—101 Law Times 393, 411.

Same article—28 Chicago Legal News 380.

Same article—4 American Lawyer 402.

"John Marshall," 33 Amer. Law Register (N. S.) 426.

"Jefferson's contempt of Chief Justice Marshall's opinions—Presidential Review of the great case of *Marbury v. Madison*—Burr's subpoena duces tecum"—44 Albany Law Journal 342.

History of—5 Law Students' Helper 321. Eulogy—16 Hazard's Register 289.

"John Marshall."

1 Chicago Law Times 109.

3 Green Bag 541.

4 American Lawyer 402.

22 Am. Law Rev. 706.

8 Green Bag 4, 479.

1 Current Comment 213, 253.

86 Law Times 175.

33 Am. Law Reg. (N. S.) 426.

13 Alb. Law Jour. 442.

1 Am. Law Reg. 432.

2 Washington Repts. 9.

Address on—7 Chicago Law Jour. 553.

Biography of—Vol. 2 Pamphlets.

Jefferson's contempt for opinions of—44 Alb. L. J. 342.

Death of—14 American Jurist 240.

Eulogy of—Judge Story (part), 14 American Jurist 448.

Eulogy of—Binney (part), 14 American Jurist 462.

John Marshall, the statesman—1 U. S. Jurist 7.

John Marshall, the chief justice—1 U. S. Jurist 10.

Chief Justice Marshall—1 Washington Law Rep. 136.

Influence of Virginia in the Formation of the Federal Constitution, 7 Va. State Bar Ass'n. Rep. 175 (1895.)

- Address on life of, by Professor Parsons—2 Bench and Bar 289.
 Same article—2 Alb. Law Jour. 126.
 Characteristics of, by Randall M. Ewing—3 Tennessee Bar Association Repts. 135.
 Trial of Aaron Burr, by Wm. Wirt Henry, 10 Va. Bar Ass'n. Repts. 239.
 John Marshall, by Proctor, 60 Albany Law Journal 230.
 Const. Law, by I. J. Hare (see Index), 2 volumes.

Also the following brief references:

- American Almanac. 1836. p. 135.
 Appel, T. Recollections and life at Marshall College. 1886.
 Barnes, Albert. Misc. essays and reviews. 1855. v. 2, p. 193, etc.
 Encyclopaedia Americana; supplementary vol. 1858. p. 431-433.
 Howe, Henry. Virginia Histor. Collections. 1856. p. 238, etc.
 Lieber, Francis. Manual of political ethics. 1839. v. 2, p. 283.
 Martineau, Harriet. Retrospect of western travel. 1838.
 Meade, William. Old churches, ministers and families of Virginia. 1872. v. 2, p. 216 and passim.
 Murray, Charles A. Travels in North America. 1839. v. 1, p. 158.
 Tuckerman, W. T. Sketch of Amer. Lit. (In Shaw, T. B. English literature. 1868. p. 490.)
 Tuckerman, W. T. (same) rewritten by T. J. Backus. (In same. 1884. p. 438.)
 Sharswood, George. Professional ethics. 1854. p. 102.
 Webster, Daniel. Private correspondence. 1857. v. 2, p. 244.
 Wirt, William. Letters of the British Spy. 1841.

And the following periodicals:

- American Jurist, v. 22, p. 247; American Quarterly, v. 18, p. 473; Christian Review, v. 1, p. 83; Dennie's Portfolio, v. 13, p. 1; Edinburgh Review, v. for Oct., 1808; Harper's Mag., v. 65, p. 771; National Quarterly, v. 33, p. 229; New England Mag., old ser., v. 9, p. 151; New Eng. Mag., new ser., v. 20, p. 527; American Review, v. 1, p. 331; v. 5, p. 115; v. 10, p. 89; v. 13, p. 79; v. 17, p. 148 and 167; v. 18, p. 90; v. 19, p. 277 and 287; v. 20, p. 444 and 453; v. 21, p. 128; v. 22, p. 259; v. 26, p. 1; Reformed Quarterly, v. 34, p. 428.

"John Marshall Day," By Adolph Moses (Correspondence with prominent judges and lawyers (pamphlet)) 1899.

"How to Celebrate 'John Marshall Day,'" and Bibliography on the Subject of John Marshall, by Adolph Moses. Printed by Direction of The Illinois State Bar Association. (Pamphlet) 1900.
 Chicago, 1900.

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**ADDRESS OF THE NATIONAL COMMITTEE OF THE AMERICAN
BAR ASSOCIATION ON "JOHN MARSHALL DAY."**

To the Bench and Bar of the United States. New Orleans, February 4, 1900.

By direction of the American Bar Association, a committee composed of one member from each state and territory, and from the District of Columbia, has been appointed by the association in reference to the proposed celebration of "John Marshall Day," to take place on Monday, Feb. 4, 1901, being the first centennial of the installation of that eminent jurist as Chief Justice of the United States. A commemoration of this event, and of the splendid career of Marshall in the great office which he adorned for more than thirty-four years, cannot fail to be an occasion of profound interest and importance to the American bench and bar. Soldier, student, advocate, diplomatist, statesman, and jurist—he was one of the finest types of American manhood in its best estate. His fame is the heritage of the nation, and it is befitting that the whole country should celebrate the appointed day.

In the language of Judge Story, when voicing the sentiments of the great court on the official announcement of Marshall's death, "his genius, his learning, and his virtues have conferred an imperishable glory on his country, whose liberties he fought to secure, and whose institutions he labored to perpetuate.

He was a patriot and a statesman of spotless integrity and consummate wisdom. The science of jurisprudence will forever acknowledge him as one of its greatest benefactors. The Constitution of the United States owes as much to him as to any single mind, for the foundations on which it rests, and the expositions by which it is to be maintained; but, above all, he was the ornament of human nature itself, in the beautiful illustration which his life constantly presented of its most attractive graces and most elevated attributes."

The committee has been charged with the duty of publishing this address to the legal profession of the United States; also, with the further duty of preparing suggestions for the observance of the day on the part of the State, city, and county bar associations and other public bodies in the United States.

The committee was also charged with the duty of requesting the good offices of the President of the United States, in recommending to Congress the propriety of observing "John Marshall Day" on the part of Congress and other departments of the government of the United States, and of memorializing Congress to observe befitting ceremonies in honor of the great Chief Justice.

It is proposed that commemoration services be held at the national capital, under the direction of the Supreme Court of the United States, with the aid and support of the co-ordinate branches of the government.

It is also expected that the day will be properly observed on the part of all State and national courts, by the cessation of judicial business, and that all State, city, and county bar associations participate in proper exercises in such manner as to them shall seem most appropriate.

Similar ceremonies are recommended to be held in all American colleges, law schools, and public schools, to the end that the youth of our country may be made more fully acquainted with Marshall's noble life and distinguished services.

The American Bar Association leaves the execution of this national celebration in the hands of the courts and the public bodies named, and the committee expresses the sincere hope that the celebration be national in its character and imposing in its extent and fervor, and that it may have the hearty support of the secular and legal press of our country.

The active co-operation of the respective Vice Presidents and members of local councils appointed by the association, with the respective members of the national committee, is respectfully requested and expected.

On behalf and by authority of the National Committee,

WILLIAM WIRT HOWE,
ADOLPH MOSES, Chairman.
Secretary.





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